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Filing date: **07/09/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177568
Party	Defendant Accuro Healthcare Solutions, Inc. Accuro Healthcare Solutions, Inc. 14241 Dallas parkway Suite 800 Houston, TX 75254
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Submission	Answer
Filer's Name	W. Scott Brown
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Date	07/09/2007
Attachments	Applicant_s Answer.PDF (4 pages)(94753 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Acuo Technologies, LLC,	§	Opposition No. 91177568
	§	
	§	
Opposer,	§	
		
	§	Mark: Accuro
	§	Serial No.: 78/903,513
	§	Published for Opposition: 01/30/2007
		
	§	Mark: Accuro <small>Business technology for healthcare.</small>
	§	Serial No.: 78/903,510
	§	Published for Opposition: 01/30/2007
v.	§	
	§	
Accuro Healthcare Solutions, Inc.,	§	
	§	
Applicant.	§	

APPLICANT'S ANSWER

Applicant, Accuro Healthcare Solutions, Inc. ("Applicant") through its undersigned counsel, hereby answers the two Notices of Opposition filed by Opposer Acuo Technologies, LLC ("Opposer") by reference to the identical numbered paragraphs of the two Notices of Opposition. Applicant's response applies to both of the Notices of Opposition.

1. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of Paragraph 1 and therefore denies them.

2. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of Paragraph 2 and therefore denies them.

3. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of Paragraph 3 and therefore denies them.

4. Denied.

5. Admitted, however Applicant's use and registration of its ACCURO marks does not require Opposer's approval, authorization or consent.

6. Admitted.

7. Applicant admits that the Notices of Opposition were filed via ESTTA but Applicant has no knowledge of whether any payment has been made.

FIRST AFFIRMATIVE DEFENSE

The Notice of Opposition fails to state a claim on which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Consumers view Applicant's ACCURO marks as identifying the source of Applicant's goods and services.

THIRD AFFIRMATIVE DEFENSE

Applicant's ACCURO marks are inherently distinctive as applied to some or all of its goods and services, and the Examining Attorney's approval of

Application Serial Nos. 78/903,513 and 78/903,510 for the ACCURO marks is evidence thereof.

WHEREFORE, Applicant prays:

1. That Opposer's Notices of Opposition be dismissed with prejudice;
2. That registrations issue on Applicant's applications; and
3. That the Board grant Applicant any and all such further relief as may be appropriate.

July 9, 2007

Respectfully submitted,

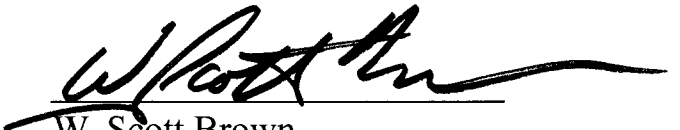


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ATTORNEYS FOR APPLICANT
ACCURO HEALTHCARE SOLUTIONS, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of APPLICANT'S ANSWER was served by overnight delivery, postage prepaid, in an envelope addressed to: John W. Provo, Maslon, Edelman, Borman & Brand, LLP, 90 S. 7th St., 3300 Wells Fargo Center, Minneapolis, Minnesota 55402, on July 9, 2007.


W. Scott Brown

Houston 3312390v.1